

asked practitioners which courses they now realise should have received more emphasis. Here are their responses: trial practice, general practice, clinical courses, procedure and evidence, and legal writing and advocacy. What do these courses have in common? They all provide feedback—measurable results.

## SKILLS

### Key skills in the law curriculum and self-assessment

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The idea that higher education should be concerned, not only with learning knowledge, but also about developing the general skills of students, is very much to the fore of contemporary policy. But there are significant differences in the agendas for skills development which different bodies present and there are different rationales for giving greater emphasis to this aspect of higher education at this moment. Non-vocational higher education in law has to engage with the skills agenda in a way which connects them to the activities which develop intellectual skills and knowledge. Employability is thus part of the deliberate strategy of higher education. To that extent, it is necessary to take issue with those who would argue that liberal education in law should not focus on the skills and employability agenda, that higher education is just about learning for learning's sake.

General transferable skills are not a bolt-on addition to the work of higher education to achieve a new employability agenda, but are part and parcel of the notion of liberal education which universities have long espoused. There is a perception that they are additional items which lecturers are required to build into the law curriculum. This is fundamentally misconceived. General transferable skills should be seen primarily as a language through which students are enabled to articulate aspects of their achieve-

ments in their academic studies and beyond. 'General transferable skills' offers a vocabulary that articulates the achievements of student learning, which teachers and students can deploy in their discussion with each other and with those outside higher education.

There are a number of different rationales for developing skills. First, employability: students need general transferable skills to be employable. It is not sufficient for higher education to suggest that skills training should be postponed to postgraduate vocational training or courses. The general skills will be the competences which can be deployed, even if much of the specific knowledge from one kind of job is no longer directly useful in the new employment. Second, there is a pedagogic rationale: many of the skills identified under the umbrella of 'general transferable skills' are actually useful to give students self-confidence and encourage enthusiasm in their learning within higher education. Third, there are rationales in law: within existing law programs, there are some additional rationales for the increasing attention to general transferable skills. This is evidenced as much in the criteria enunciated in requests for references by solicitors as in the references requests received from non-lawyer employers. Furthermore, there is clear evidence that traditional legal careers do not dominate the eventual destinies of law students. Study of law at vocational or academic stages should not be seen simply as a preparation for a career in law. The general transferable skills gained are those which will be relevant to the majority of students, whatever their career destination.

The arguments in favour of including an emphasis on the development of general transferable skills are not universally accepted in higher education. There are a number of common arguments. First, for many institutions, there is little incentive to make their graduates more employable as their reputation is sufficient to make their students apparently employable. Despite the rhetoric of employers and their organisations, there is no clear evi-

dence that recruitment policies pay much attention to the record of skills development of individuals, as opposed to their grades in modules which demonstrate knowledge of their subject. Furthermore, there is little evidence that the students of institutions which do focus on skills development perform any better in the employment market as a result.

Second, academics and those who manage higher education are concerned to resist the efforts of employers to off-load their training requirements onto the universities. Third, the emphasis on key and basic skills gives to many the impression that skills development, especially in literacy, numeracy and IT, is really a matter of remedial education. Should students not really master the basic skills before they come to university? Fourth, there is the argument that academic staff have no special competence to teach skills and there are no extra resources at hand to do so. Fifth, students come to university to learn the subject: there are concerns about the motivation of students to learn general transferable skills. They are desperate to study the subject they have chosen and are usually reluctant to learn unwanted subsidiary subjects, let alone skills. This argues very much against discrete skills modules. If teachers believe that certain skills are integral to the learning of the subjects, then this will make it easier for the student to accept the relevance of the skills-based activity.

Academics traditionally justify higher education in terms of 'liberal' as opposed to 'vocational' education. Liberal education is for broadening the mind, to enable a person to enjoy the non-professional aspects of life, and to improve the mind. In these ways, a person is better able to carry on activities in his own professional sphere. The idea of education as the cultivation of the mind and person appears to draw us away from the idea of employability skills. But it actually emphasises both the general and the transferable features of general transferable skills.

The problem with the skills content of so-called 'liberal education' is not with the conception but with the delivery. The claim that a law degree develops general transferable skills is often based on an assumption about what is implicit in being a graduate, rather than being made explicit as part of the definition of a program or communicated to students as an explicit expectation. Second, even though this implicit assumption is now being reinforced sometimes by explicit policies, the general policies seem currently limited in their elaboration and implementation. There is little evidence of formal support for students to improve their skills, even if assessment does focus in part on them. Third, the claim to develop general transferable skills is not matched by evidence that law schools seek to be in touch with the wider range of employers either directly or indirectly through careers services. They are thus not focused on how skills developed in the context of law can be applicable in other contexts and what activities would best promote such relevant skills.

The kind of assessment of skills which is appropriate depends very much on one's objectives in including skills as part of the curriculum. There are at least three different objectives possible, only the first of which requires external verification of outcome. First, we may wish that students should attain a certain level of achievement in a number of specific skills. Second, we may wish students to be exposed to a range of experiences which may enable them to enhance their skills. Third, if skills are a language of talking about achievement, then we might want students to be able to internalise that language in discussing their learning. There can thus be a significant difference between requiring that students undergo a specific process and requiring that they attain a specified level of competence in a particular skill.

Key skills (or more broadly general transferable skills) are integral to higher education in its traditional 'liberal education' objective. But in emphasising this objective, we should not ignore employ-

ability. The idea of skills as a language is central to what students should be able to do to talk about their achievements in higher education holistically. Each subject, like law, will have its own circumstances and agendas. There may be a need to differentiate some specific vocational aspects from general transferable skills. But it is important to maintain the link to show that those who are successful in the specific professions immediately served by a degree program need general transferable skills as much as those who go into other walks of life. Institutions tend to assume that skills develop automatically, rather than as the fruit of explicit cultivation in the curriculum.

## TEACHERS

### Thanks, but I'm just looking: or, why I don't want to be a dean

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The author recently spent three years serving as associate dean at the law school where he had taught since 1990. His portfolio included helping to coordinate the scheduling of more than 100 classes each semester, managing and supporting some 80 adjuncts, overseeing clinical and externship programs, championing the interests of the one-third of the students who were enrolled in the part-time program, supervising the pro bono/public interest program, serving as a liaison between the administration and a plethora of student organisations and faculty committees, and creating the school's bi-monthly newsletter and supervising its production.

Why would any member of a law faculty trade a comfortable life of teaching, scholarship, and minimal administrative responsibility for a life of administrative drudgery, very little teaching, and virtually no time for scholarship?

A significant amount of culture shock accompanied the author's move from faculty to administration. Perhaps the one that caught him most off guard was the

change in people's reactions to him. Becoming an associate dean was a harsh re-entry into the real world. The parallels between associate deaning and practising law in a big firm were astonishing. The contrasts between being an associate dean and being a regular faculty member were equally profound. Just as in practice, it was necessary to keep track of vacation and sick days and deal with the political realities of never being able to please everyone who came advocating a cause or seeking a remedy for a real or imagined injury.

### A primer for the first-time law dean candidate

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Each dean search, of course, has its own unique attributes, and no universal formula charts the path for the first-time candidate. One's performance as dean is in no small measure a product of instinct and judgment, and the same is true for the dean candidate. Also, like a dean, the dean candidate will encounter the unexpected and be evaluated on her handling of the unforeseen question or circumstance. Nevertheless, some things that happen in dean searches can be anticipated, and the candidate can take steps to prepare for the foreseeable ways in which she will be evaluated.

What follows are fourteen principles of which the first-time dean candidate should be mindful. First, it is necessary to know – and be able to explain – why you want to be the dean. It is worth reflecting upon the reasons because one of the first questions put to every candidate is 'Why do you want to be dean?' Not having a good answer to this question—worse yet, appearing not to have thought much about it—is one of the quickest ways to bring a candidacy to an end.

Ultimately the reasons for seeking a deanship are personal, and many good ones are possible. Knowing which reasons apply requires knowing some things